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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.:

ISPH-0623

Inventors:

Karras and Condon

Serial No.:

10/033,742

Filing Date:

December 28, 2001

Examiner:

Terra C. Gibbs

Group Art Unit:

1635

Title:

Antisense Modulation of Macrophage
Inflammatory Protein 3-Alpha Expression

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Date of Deposit - June 16, 2003

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By Jane Massey Licata

Typed Name: Jane Massey Licata, Reg. No. 32,257

Commissioner for Patents
Mail Stop Sequence
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY

In response to the "Notice to Comply" dated **May 5, 2003**, a response to which is due **June 23, 2003**, enclosed herewith is:

(XX) Amendment under 1.825;

(XX) Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;

(XX) Substitute pages of the Sequence Listing;

(XX) Substitute copy of the computer readable form of
Sequence Listing;

(XX) Copy of Notice to Comply;

() Petition for One (1) Month Extension of Time;

() Other:

The Commissioner is hereby authorized to charge any
underpayment associated with this communication or credit any
overpayment to Deposit Account No. 50-1619. This sheet is attached
in duplicate.

Respectfully submitted,

Jane Massey Licata

Jane Massey Licata
Registration No. 32,257

Date: **June 16, 2003**

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515



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Attorney Docket No.: ISPH-0623
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By Jane Massey Licata
Typed Name: Jane Massey Licata, Reg. No. 32,257

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P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825

- (XX) I hereby state, in accordance with the requirements of 37
C.F.R. §1.821(f), that the contents of the paper and
computer readable copies of the Sequence Listing, submitted
in accordance with 37 CFR §1.821(c) and (e), respectively
are the same.
- () I hereby state that the submission filed in accordance with
37 CFR §1.821(g) does not include new matter.
- () I hereby state that the submission filed in accordance with
37 CFR §1.821(h) does not include new matter or go beyond
the disclosure in the international application as filed.

- (XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform to the current Sequence Listing Rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

Jane Massey Licata

Jane Massey Licata
Registration No. 32,257

Date: June 16, 2003

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/033,742	12/28/01	James et al.	ISPH 0623

EXAMINER	
Terra C. Gibbs	
ART UNIT	PAPER NUMBER
1635	00

DATE MAILED:

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Please find below a communication from the EXAMINER in charge of this application

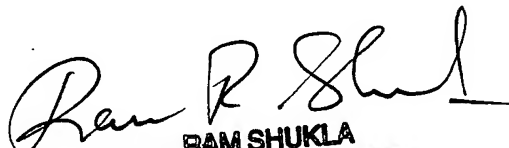
Commissioner of Patents

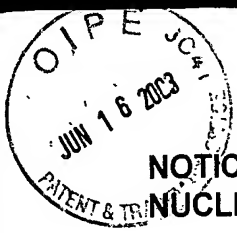
The communication filed on 03/23/03 is not fully responsive to the communication mailed 12/25/02 for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or Raw Sequence Listing Error Report. Applicant must fully comply with the Sequence Rules for any response to this action to be considered fully responsive.

If a complete response has not been submitted by the time the shortened statutory period for response set in the communication mailed has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 C.F.R. 1.136. In no case may an applicant extend the period for response beyond the six month statutory period.

Any inquiry concerning this communication should be directed to Examiner Terra C. Gibbs, Art Unit 1635, whose telephone number is (703) 306-3221.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.


RAM SHUKLA
PRIMARY EXAMINER



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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